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**SUPPLEMENTAL DECLARATION  
FOR REISSUE  
PATENT APPLICATION  
TO CORRECT "ERRORS" STATEMENT  
(37 CFR 1.175)**

Attorney Docket Number	60,368-P23 091
First Named Inventor	Michael R. Bailey
COMPLETE	
Application Number	08,651,180
Filing Date	05/31/96
Group Art Unit	2855
Examiner Name	William L. Oan

I/We hereby declare that:

Every error in the patent which was corrected in the present reissue application, and which is not covered by the prior oath(s) and/or declaration(s) submitted in this application, arose without any deceptive intention on the part of the applicant.

I/We hereby declare that all statements made herein of my/our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Michael Robert		Bailey	
Inventor's Signature		Date	
<i>Michael R. Bailey</i>		27 JUL 00	
Name of Second Inventor:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Inventor's Signature		Date	
Name of Third Inventor:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Give Name (first and middle (if any))		Family Name or Surname	
Inventor's Signature		Date	
Name of Fourth Inventor:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Give Name (first and middle (if any))		Family Name or Surname	
Inventor's Signature		Date	
<input type="checkbox"/> Additional inventors are being named on the _____ supplemental Additional Inventor(s) sheet(s) PTO/SB02A attached hereto.			

(Page 1 of 1)

Burden Hour Statement: This form is estimated to take 0.05 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

07/31/2000 MON 11:17 [TX/RX NO 9409] 002

Attorney's Docket No. HFI 0194 R**PATENT****REISSUE APPLICATION DECLARATION AND POWER OF ATTORNEY  
(BY INVENTOR(S) OR ASSIGNEE)**

(complete A or B)

**A. ☒ DECLARATION BY THE INVENTOR(S)**

As a below named inventor, I hereby declare that: My residence, post office address and citizenship are as stated below next to my name, I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is described and claimed in letters

patent number 5,315,880, granted on May 31, 1994, and in the foregoing specification and for which invention I solicit a reissue patent;

**B. ☒ DECLARATION BY ASSIGNEE**

NOTE: The assignee of the entire interest may make the declaration if the reissue application does not seek to to enlarge the scope of the claims of the original patent. 37 CFR 1.172.

Stephen N. McEwenPresident

(type or print name of declarant)

Title

of HENRY FILTERS, INC.

Name of company or legal entity on whose behalf declarant is authorized to sign

declare that I am a citizen of U.S.A. and resident of Bowling Green, Ohio, and

that the entire title to letters patent number 5,315,890

for METHOD FOR MEASURING FLUID VELOCITY BY MEASURING THE DOPPLER FREQUENCY SHIFT OF MICROWAVE SIGNALS

granted on May 31, 1994 to Michael R. Bailey

Inventor(s)

is vested in HENRY FILTERS, INC.

Name of company or legal entity

that I believe said named inventor(s) to be an original, first and sole inventor (if only one name is listed) or an original, first and part inventor (if plural names are listed) of the subject matter which is described and claimed in the aforesaid letters patent and in the foregoing specification and for which invention I solicit a reissue patent.

**ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**  
**(37 CFR § 1.175(a)(7))**

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims.

I acknowledge the duty to disclose information that is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent.

☒ In compliance with this duty, there is attached an information disclosure statement in accordance with 37 CFR 1.98.

**PRIORITY CLAIM**

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

(complete C or D)

C. ☒ No such applications have been filed.

D. ☐ Such applications have been filed as follows:

**EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS**  
**(6 MONTHS FOR DESIGN) PRIOR TO SAID APPLICATION**

Country	Application No.	Date of filing (day, month, year)	Date of issue (day, month, year)	Priority Claimed
				<input type="checkbox"/> YES <input type="checkbox"/> NO
				<input type="checkbox"/> YES <input type="checkbox"/> NO
				<input type="checkbox"/> YES <input type="checkbox"/> NO

**ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS**  
**(6 MONTHS FOR DESIGN) PRIOR TO SAID APPLICATION**


(Reissue Application Declaration and Power of Attorney [17-6]—page 2 of 6)

**STATEMENT OF INOPERATIVENESS OR INVALIDITY  
OF ORIGINAL PATENT 37 CFR 1.175**

That I verily believe the original patent to be

☒ partly

☐ wholly

inoperative or invalid because of error without any deceptive intent on the part of the applicant. (37 CFR 1.175(a)(6)).

The statement below specifies the errors relied upon, and how they arose (37 C.F.R. § 1.175(a)(5)).

- ☒ why the original patent is believed to be wholly or partly inoperative or invalid (37 C.F.R. § 1.175(a)(1));
- ☐ particularly the defects upon which the claim that such patent is inoperative or invalid "by reason of a defective specification or drawing" is based (37 C.F.R. § 1.175(a)(2)); and or
- ☒ distinctly the excess or insufficiency in the claims that make the patent inoperative or invalid "by reason of the patentee claiming more or less than he had a right to claim in the patent." (37 C.F.R. § 1.175(a)(3))
- ☒ Corroborating affidavits or declarations of others accompany this declaration. (37 C.F.R. § 1.175(b)).

# STATEMENT OF INOPERATIVENESS OR INVALIDITY OF ORIGINAL PATENT

NOTE: This statement must:

- (1) include the reasons why the applicant verily believes the original patent to be wholly or partly inoperative (37 C.F.R. § 1.175(a)(1)),
- (2) particularly specify the defects, when it is claimed that the original patent is inoperative or invalid "by reason of a defective specification or drawing" (37 C.F.R. § 1.175(a)(2));
  - (a) distinctly specifying the excess or insufficiency in the claims when it is claimed that the original patent is inoperative or invalid "by reason of the patentee claiming more or less than he had the right to claim in the patent" (37 C.F.R. § 1.175(a)(3)), and
  - (b) "particularly specifying the errors relied upon, and how they arose or occurred" (37 C.F.R. § 1.175(a)(5)).

See Attached Written Sheets.

(use supplemental page(s), if necessary)

(Reissue Application Declaration and Power of Attorney [17-6]—page 4 of 6)

**POWER OF ATTORNEY**

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith

(list name and registration number)

Ernie L. Brooks Reg. No. 26,260. James A. Kushman, Reg. No. 25,634. David R. Syrowik, Reg. No. 27,956. Mark A. Cantor, Reg. No. 30,614. Ralph M. Burton, Reg. No. 17,748. John A. Artz, Reg. No. 25,824. Robert C. J. Tuttle, Reg. No. 27,962. Earl J. LaFontaine, Reg. No. 30,766. Ronald M. Nabozny, Reg. No. 28,648. Thomas A. Lewry, Reg. No. 30,770. John E. Nemazi, Reg. No. 30,876. Kevin J. Meini, Reg. No. 29,805. William G. Abbott, Reg. No. 31,936. Robert F. Hess, Reg. No. 22,038. Donald J. Harrington, Reg. No. 17,427. Frederick M. Ritchie, Reg. No. 18,669. Keith L. Zersching, Reg. No. 18,496. Robert C. Brandenburg, Reg. No. 29,048. Paul M. Schwartz, Reg. No. 33,278. James R. Ignatowski, Reg. No. 26,741. A. Frank Duke, Reg. No. 20,937. Timothy G. Newman, Reg. No. 34,228. John M. Malan, Reg. No. 35,534. Jeffrey M. Szuma, Reg. No. 35,700. Richard J. Schulte, Reg. No. 35,350. Frank A. Angileri, Reg. No. 36,733. Robert R. Lech, Reg. No. 37,169. William G. Conger, Reg. No. 31,209. Robert C. Jones, Reg. No. 35,209. Rhonda L. McCoy, Reg. No. 37,887. Christopher W. Quinn, Reg. No. 38,274. David S. Bir, Reg. No. 38,383. Cary D. Perttunen, Reg. No. 38,578. Sangeeta G. Shah, Reg. No. 38,614.

(check the following item, if applicable)

- ☒ Attached as part of this declaration and power of attorney is the authorization of the above named attorney(s) to accept and follow instructions from my representative.

SEND CORRESPONDENCE TO:

Richard J. Schulte  
BROOKS & KUSHMAN P.C.  
1000 Town Center  
Twenty-Second Floor  
Southfield, Michigan 48075

DIRECT TELEPHONE CALLS TO:  
(810) 358-4400

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

(Signature(s))

☒ BY THE INVENTOR(S)

Full name of sole or first inventor Michael R. Bailey

Inventor's signature [Signature]

Date May 28, 1996

Country of Citizenship U.S.A.

Residence \_\_\_\_\_

Post Office Address (SAME AS RESIDENCE ADDRESS)

Full name of second joint inventor, if any \_\_\_\_\_

Inventor's signature \_\_\_\_\_

Date \_\_\_\_\_

Country of Citizenship \_\_\_\_\_

Residence \_\_\_\_\_

Post Office Address \_\_\_\_\_

☒ BY ASSIGNEE OR PERSON AUTHORIZED TO SIGN ON BEHALF OF ASSIGNEE  
NOTE: Even though inventor(s) do not sign, complete above information for inventor(s).

(complete the following, if applicable)

HENRY FILTERS, INC.  
(type name of assignee)  
1350 Van Camp Road  
Address of assignee  
Bowling Green, Ohio 43402

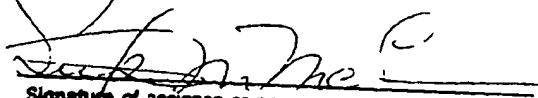
Stephen N. McEwen - President  
Title of person authorized to sign on behalf of assignee

☒ Assignment recorded in PTO on August 13, 1992  
Reel 6222  
Frame 0890

☐ A separate ☐ "ASSIGNMENT (DOCUMENT) COVER SHEET"  
or ☐ FORM PTO 1595 is submitted herewith along with the  
assignment \_\_\_\_\_

### CERTIFICATION BY ASSIGNEE

☒ Attached is a "CERTIFICATE UNDER 37 CFR 3.73(b)," establishing the right of the assignee to take action in this reissue.

  
\_\_\_\_\_  
Signature of assignee or person authorized to  
sign on behalf of assignee

(check proper box(es) for any added page(s) forming a part of this declaration)

- ☐ Signature for third and subsequent joint inventors. Number of pages added. \_\_\_\_\_
- ☐ Signature by administrator(trix), executor(trix) or legal representative for deceased or incapacitated inventor. Number of pages added. \_\_\_\_\_
- ☐ Signature for inventor who refuses to sign or cannot be reached by person authorized under 37 CFR 1.47. Number of pages added. \_\_\_\_\_
- ☒ Statement of inoperativeness or invalidity of original patent. 37 CFR 1.175. Number of pages added 9
- ☐ Authorization of attorney(s) to accept and follow instructions from representative.
- ☒ Corroborating affidavits or declarations of others. 37 C.F.R. 1.175(b).

(Reissue Application Declaration and Power of Attorney [17-6]—page 6 of 6)